



94TH GENERAL ASSEMBLY
State of Illinois
2005 and 2006
HB3838

Introduced 2/25/2005, by Rep. Richard T. Bradley

SYNOPSIS AS INTRODUCED:

40 ILCS 5/2-156	from Ch. 108 1/2, par. 2-156
40 ILCS 5/3-147	from Ch. 108 1/2, par. 3-147
40 ILCS 5/4-138	from Ch. 108 1/2, par. 4-138
40 ILCS 5/5-227	from Ch. 108 1/2, par. 5-227
40 ILCS 5/6-221	from Ch. 108 1/2, par. 6-221
40 ILCS 5/7-219	from Ch. 108 1/2, par. 7-219
40 ILCS 5/8-251	from Ch. 108 1/2, par. 8-251
40 ILCS 5/9-235	from Ch. 108 1/2, par. 9-235
40 ILCS 5/10-109 new	
40 ILCS 5/11-230	from Ch. 108 1/2, par. 11-230
40 ILCS 5/12-191	from Ch. 108 1/2, par. 12-191
40 ILCS 5/13-807	from Ch. 108 1/2, par. 13-807
40 ILCS 5/14-149	from Ch. 108 1/2, par. 14-149
40 ILCS 5/15-187	from Ch. 108 1/2, par. 15-187
40 ILCS 5/16-199	from Ch. 108 1/2, par. 16-199
40 ILCS 5/17-149.1	from Ch. 108 1/2, par. 17-149.1
40 ILCS 5/18-163	from Ch. 108 1/2, par. 18-163

Amends various Articles of the Illinois Pension Code. Provides that the refund due to a person who must forfeit his or her pension because of a felony conviction shall be equal to his or her contributions (including amounts paid by the person to establish additional or optional credit), without interest, less the amount of any benefits paid to the person (including benefits paid to an alternate payee under a QILDRO). Provides that the refund shall not include employer contributions or any interest on contributions. Amends the Cook County Forest Preserve Article to explicitly add similar felony forfeiture provisions to that Article. Provides that the changes made by this amendatory Act of the 94th General Assembly are declarative of existing law and do not constitute an impairment of benefits under Article XIII, Section 5 of the Illinois Constitution. Effective immediately.

LRB094 02452 LRD 32453 b

FISCAL NOTE ACT
MAY APPLY

PENSION IMPACT
NOTE ACT MAY
APPLY

1 AN ACT in relation to public employee benefits.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Illinois Pension Code is amended by changing
5 Sections 2-156, 3-147, 4-138, 5-227, 6-221, 7-219, 8-251,
6 9-235, 11-230, 12-191, 13-807, 14-149, 15-187, 16-199,
7 17-149.1, and 18-163 and by adding Section 10-109 as follows:

8 (40 ILCS 5/2-156) (from Ch. 108 1/2, par. 2-156)

9 Sec. 2-156. Felony conviction. None of the benefits herein
10 provided for shall be paid to any person who is convicted of
11 and sentenced for any felony relating to or arising out of or
12 in connection with his or her service as a member.

13 This Section shall not operate to impair any contract or
14 vested right acquired prior to July 11, 1955 under any law or
15 laws continued in this Article, nor to preclude a person's ~~the~~
16 right to a refund. A refund under this Section shall consist of
17 amounts representing employee contributions paid by the person
18 to the System (including such amounts paid by the person to
19 establish additional or optional credit), without interest,
20 less the amount of benefits paid to the person (including
21 benefits paid to an alternate payee under a QILDRO) by the
22 System. The refund shall not include employer contributions or
23 any interest on contributions. This Section does not require
24 repayment to the System of any benefit paid before the date of
25 sentencing. The changes made by this amendatory Act of the 94th
26 General Assembly are declarative of existing law and do not
27 constitute an impairment of benefits under Article XIII,
28 Section 5 of the Illinois Constitution.

29 All participants entering service subsequent to July 11,
30 1955 shall be deemed to have consented to the provisions of
31 this Section and the rules, policies, and procedures
32 implementing it as a condition of participation.

1 (Source: P.A. 83-1440.)

2 (40 ILCS 5/3-147) (from Ch. 108 1/2, par. 3-147)

3 Sec. 3-147. Felony conviction. None of the benefits
4 provided in this Article shall be paid to any person who is
5 convicted of and sentenced for any felony relating to or
6 arising out of or in connection with his or her service as a
7 police officer.

8 This Section shall not impair any contract or vested right
9 acquired prior to July 11, 1955 under any law continued in this
10 Article, nor preclude a person's ~~the~~ right to a refund. A
11 refund under this Section shall consist of amounts representing
12 employee contributions paid by the person to the fund
13 (including such amounts paid by the person to establish
14 additional or optional credit), without interest, less the
15 amount of benefits paid to the person (including benefits paid
16 to an alternate payee under a QILDRO) by the fund. The refund
17 shall not include employer contributions, interest on any
18 contributions, or any return realized under a self-managed
19 plan. This Section does not require repayment to the fund of
20 any benefit paid before the date of sentencing. The changes
21 made by this amendatory Act of the 94th General Assembly are
22 declarative of existing law and do not constitute an impairment
23 of benefits under Article XIII, Section 5 of the Illinois
24 Constitution.

25 All persons entering service subsequent to July 11, 1955
26 are deemed to have consented to the provisions of this Section
27 and the rules, policies, and procedures implementing it as a
28 condition of coverage.

29 (Source: P.A. 83-1440.)

30 (40 ILCS 5/4-138) (from Ch. 108 1/2, par. 4-138)

31 Sec. 4-138. Felony conviction. None of the benefits
32 provided under this Article shall be paid to any person who is
33 convicted of and sentenced for any felony relating to or
34 arising out of or in connection with service as a firefighter.

1 This Section shall not impair any contract or vested right
2 acquired prior to July 11, 1955 under any law continued in this
3 Article, nor preclude a person's ~~the~~ right to a refund. A
4 refund under this Section shall consist of amounts representing
5 employee contributions paid by the person to the fund
6 (including such amounts paid by the person to establish
7 additional or optional credit), without interest, less the
8 amount of benefits paid to the person (including benefits paid
9 to an alternate payee under a QILDRO) by the fund. The refund
10 shall not include employer contributions or any interest on
11 contributions. This Section does not require repayment to the
12 fund of any benefit paid before the date of sentencing. The
13 changes made by this amendatory Act of the 94th General
14 Assembly are declarative of existing law and do not constitute
15 an impairment of benefits under Article XIII, Section 5 of the
16 Illinois Constitution.

17 All persons entering service subsequent to July 11, 1955,
18 are deemed to have consented to the provisions of this Section
19 and the rules, policies, and procedures implementing it as a
20 condition of coverage.

21 (Source: P.A. 83-1440.)

22 (40 ILCS 5/5-227) (from Ch. 108 1/2, par. 5-227)

23 Sec. 5-227. Felony conviction. None of the benefits
24 provided for in this Article shall be paid to any person who is
25 convicted of and sentenced for any felony relating to or
26 arising out of or in connection with his service as a
27 policeman.

28 None of the benefits provided for in this Article shall be
29 paid to any person who is convicted of any felony while in
30 receipt of disability benefits.

31 None of the benefits provided for in this Article shall be
32 paid to any person who is convicted of any felony relating to
33 or arising out of or in connection with the intentional and
34 wrongful death of a police officer, either active or retired,
35 through whom such person would become eligible to receive, or

1 is receiving, an annuity under this Article.

2 This Section shall not operate to impair any contract or
3 vested right heretofore acquired under any law or laws
4 continued in this Article, nor to preclude a person's ~~the~~ right
5 to a refund. A refund under this Section shall consist of
6 amounts representing employee contributions paid by the person
7 to the Fund (including such amounts paid by the person to
8 establish additional or optional credit), without interest,
9 less the amount of benefits paid to the person (including
10 benefits paid to an alternate payee under a QILDRO) by the
11 Fund. The refund shall not include employer contributions or
12 any interest on contributions. This Section does not require
13 repayment to the Fund of any benefit paid before the date of
14 sentencing. The changes made by this amendatory Act of the 94th
15 General Assembly are declarative of existing law and do not
16 constitute an impairment of benefits under Article XIII,
17 Section 5 of the Illinois Constitution.

18 All future entrants entering service subsequent to July 11,
19 1955, shall be deemed to have consented to the provisions of
20 this Section and the rules, policies, and procedures
21 implementing it as a condition of coverage.

22 (Source: P.A. 83-809.)

23 (40 ILCS 5/6-221) (from Ch. 108 1/2, par. 6-221)

24 Sec. 6-221. Felony conviction. None of the benefits
25 provided in this Article shall be paid to any person who is
26 convicted of and sentenced for any felony relating to or
27 arising out of or in connection with his service as a fireman.

28 This Section shall not operate to impair any contract or
29 vested right heretofore acquired under any law or laws
30 continued in this Article, nor to preclude a person's ~~the~~ right
31 to a refund. A refund under this Section shall consist of
32 amounts representing employee contributions paid by the person
33 to the Fund (including such amounts paid by the person to
34 establish additional or optional credit), without interest,
35 less the amount of benefits paid to the person (including

1 amounts paid to an alternate payee under a QILDRO) by the Fund.
2 The refund shall not include employer contributions or any
3 interest on contributions. This Section does not require the
4 repayment to the Fund of any benefit paid before the date of
5 sentencing. The changes made by this amendatory Act of the 94th
6 General Assembly are declarative of existing law and do not
7 constitute an impairment of benefits under Article XIII,
8 Section 5 of the Illinois Constitution.

9 All future entrants after July 11, 1955 shall be deemed to
10 have consented to the provisions of this Section and the rules,
11 policies, and procedures implementing it ~~section~~ as a condition
12 of coverage.

13 (Source: Laws 1963, p. 161.)

14 (40 ILCS 5/7-219) (from Ch. 108 1/2, par. 7-219)

15 Sec. 7-219. Felony conviction.

16 None of the benefits provided for in this Article shall be
17 paid to any person who is convicted of and sentenced for any
18 felony relating to or arising out of or in connection with his
19 service as an employee.

20 This Section shall not operate to impair any contract or
21 vested right heretofore acquired under any law or laws
22 continued in this Article, nor to preclude a person's ~~the~~ right
23 to a refund. A refund under this Section shall consist of
24 amounts representing employee contributions paid by the person
25 to the Fund (including such amounts paid by the person to
26 establish additional or optional credit), without interest,
27 less the amount of benefits paid to the person (including
28 benefits paid to an alternate payee under a QILDRO) by the
29 Fund. The refund shall not include employer contributions or
30 any interest on contributions. This Section does not require
31 repayment to the Fund of any benefit paid before the date of
32 sentencing. The changes made by this amendatory Act of the 94th
33 General Assembly are declarative of existing law and do not
34 constitute an impairment of benefits under Article XIII,
35 Section 5 of the Illinois Constitution.

1 All future entrants entering service subsequent to July 9,
2 1955 shall be deemed to have consented to the provisions of
3 this Section and the rules, policies, and procedures
4 implementing it as a condition of coverage.

5 (Source: Laws 1963, p. 161.)

6 (40 ILCS 5/8-251) (from Ch. 108 1/2, par. 8-251)

7 Sec. 8-251. Felony conviction.

8 None of the benefits provided for in this Article shall be
9 paid to any person who is convicted of and sentenced for any
10 felony relating to or arising out of or in connection with his
11 service as a municipal employee.

12 This Section shall not operate to impair any contract or
13 vested right heretofore acquired under any law or laws
14 continued in this Article, nor to preclude a person's ~~the~~ right
15 to a refund. A refund under this Section shall consist of
16 amounts representing employee contributions paid by the person
17 to the Fund (including such amounts paid by the person to
18 establish additional or optional credit), without interest,
19 less the amount of benefits paid to the person (including
20 benefits paid to an alternate payee under a QILDRO) by the
21 Fund. The refund shall not include employer contributions or
22 any interest on contributions. This Section does not require
23 repayment to the Fund of any benefit paid before the date of
24 sentencing. The changes made by this amendatory Act of the 94th
25 General Assembly are declarative of existing law and do not
26 constitute an impairment of benefits under Article XIII,
27 Section 5 of the Illinois Constitution.

28 All future entrants entering service subsequent to July 11,
29 1955 shall be deemed to have consented to the provisions of
30 this Section and the rules, policies, and procedures
31 implementing it ~~section~~ as a condition of coverage.

32 (Source: Laws 1963, p. 161.)

33 (40 ILCS 5/9-235) (from Ch. 108 1/2, par. 9-235)

34 Sec. 9-235. Felony conviction.

1 None of the benefits provided in this Article shall be paid
2 to any person who is convicted of and sentenced for any felony
3 relating to or arising out of or in connection with his service
4 as an employee.

5 This Section shall not operate to impair any contract or
6 vested right heretofore acquired under any law or laws
7 continued in this Article, nor to preclude a person's ~~the~~ right
8 to a refund. A refund under this Section shall consist of
9 amounts representing employee contributions paid by the person
10 to the Fund (including such amounts paid by the person to
11 establish additional or optional credit), without interest,
12 less the amount of benefits paid to the person (including
13 benefits paid to an alternate payee under a QILDRO) by the
14 Fund. The refund shall not include employer contributions or
15 any interest on contributions. This Section does not require
16 repayment to the Fund of any benefit paid before the date of
17 sentencing. The changes made by this amendatory Act of the 94th
18 General Assembly are declarative of existing law and do not
19 constitute an impairment of benefits under Article XIII,
20 Section 5 of the Illinois Constitution.

21 All future entrants entering service after July 11, 1955,
22 shall be deemed to have consented to the provisions of this
23 Section and the rules, policies, and procedures implementing it
24 ~~section~~ as a condition of coverage.

25 (Source: Laws 1963, p. 161.)

26 (40 ILCS 5/10-109 new)

27 Sec. 10-109. Felony conviction. None of the benefits
28 provided in this Article shall be paid to any person who is
29 convicted of and sentenced for any felony related to or arising
30 out of or in connection with his service as an employee.

31 This Section shall not operate to impair any contract or
32 vested right heretofore acquired under any law or laws
33 continued in this Article, nor preclude a person's right to a
34 refund. A refund under this Section shall consist of amounts
35 representing employee contributions paid by the person to the

1 Fund (including such amounts paid by the person to establish
2 additional or optional credit), without interest, less the
3 amount of benefits paid to the person (including benefits paid
4 to an alternate payee under a QILDRO) by the Fund. The refund
5 shall not include employer contributions or any interest on
6 contributions. This Section does not require repayment to the
7 Fund of any benefit paid before the date of sentencing. The
8 changes made by this amendatory Act of the 94th General
9 Assembly are declarative of existing law and do not constitute
10 impairment of benefits under Article XIII, Section 5 of the
11 Illinois Constitution.

12 All future entrants entering service after July 11, 1955,
13 shall be deemed to have consented to the provisions of this
14 Section and the rules, policies, and procedures implementing it
15 as a condition of coverage.

16 (40 ILCS 5/11-230) (from Ch. 108 1/2, par. 11-230)

17 Sec. 11-230. Felony conviction.

18 None of the benefits provided in this Article shall be paid
19 to any person who is convicted of and sentenced for any felony
20 relating to or arising out of or in connection with his service
21 as employee.

22 This Section shall not operate to impair any contract or
23 vested right heretofore acquired under any law or laws
24 continued in this Article, nor to preclude a person's ~~the~~ right
25 to a refund. A refund under this Section shall consist of
26 amounts representing employee contributions paid by the person
27 to the Fund (including such amounts paid by the person to
28 establish additional or optional credit), without interest,
29 less the amount of benefits paid to the person (including
30 benefits paid to an alternate payee under a QILDRO) by the
31 Fund. The refund shall not include employer contributions or
32 any interest on contributions. This Section does not require
33 repayment to the Fund of any benefit paid before the date of
34 sentencing. The changes made by this amendatory Act of the 94th
35 General Assembly are declarative of existing law and do not

1 constitute an impairment of benefits under Article XIII,
2 Section 5 of the Illinois Constitution.

3 All future entrants entering service after July 11, 1955,
4 shall be deemed to have consented to the provisions of this
5 Section and the rules, policies, and procedures implementing it
6 ~~section~~ as a condition of coverage.

7 (Source: Laws 1963, p. 161.)

8 (40 ILCS 5/12-191) (from Ch. 108 1/2, par. 12-191)

9 Sec. 12-191. Felony conviction.

10 None of the benefits provided for in this Article shall be
11 paid to any person who is convicted of and sentenced for any
12 felony relating to or arising out of or in connection with his
13 service as an employee.

14 This Section shall not operate to impair any contract or
15 vested right heretofore acquired under any law or laws
16 continued in this Article, nor to preclude a person's ~~the~~ right
17 to a refund. A refund under this Section shall consist of
18 amounts representing employee contributions paid by the person
19 to the Fund (including such amounts paid by the person to
20 establish additional or optional credit), without interest,
21 less the amount of benefits paid to the person (including
22 benefits paid to an alternate payee under a QILDRO) by the
23 Fund. The refund shall not include employer contributions or
24 any interest on contributions. This Section does not require
25 repayment to the Fund of any benefit paid before the date of
26 sentencing. The changes made by this amendatory Act of the 94th
27 General Assembly are declarative of existing law and do not
28 constitute an impairment of benefits under Article XIII,
29 Section 5 of the Illinois Constitution.

30 All future entrants entering service subsequent to July 11,
31 1955 shall be deemed to have consented to the provisions of
32 this Section and the rules, policies, and procedures
33 implementing it ~~section~~ as a condition of coverage.

34 (Source: Laws 1963, p. 161.)

1 (40 ILCS 5/13-807) (from Ch. 108 1/2, par. 13-807)

2 Sec. 13-807. Felony conviction. None of the benefits
3 provided in this Article shall be paid to any person who is
4 convicted of and sentenced for any felony relating to or
5 arising out of or in connection with service as an employee.

6 This Section shall not operate to impair any contract or
7 vested right heretofore acquired under any law or laws
8 continued in this Article, nor to preclude a person's ~~the~~ right
9 to a refund. A refund under this Section shall consist of
10 amounts representing employee contributions paid by the person
11 to the Fund (including such amounts paid by the person to
12 establish additional or optional credit), without interest,
13 less the amount of benefits paid to the person (including
14 benefits paid to an alternate payee under a QILDRO) by the
15 Fund. The refund shall not include employer contributions or
16 any interest on contributions. This Section does not require
17 repayment to the Fund of any benefit paid before the date of
18 sentencing. The changes made by this amendatory Act of the 94th
19 General Assembly are declarative of existing law and do not
20 constitute an impairment of benefits under Article XIII,
21 Section 5 of the Illinois Constitution.

22 All persons entering service subsequent to July 11, 1955
23 shall be deemed to have consented to the provisions of this
24 Section and the rules, policies, and procedures implementing it
25 as a condition of coverage.

26 (Source: P.A. 87-794.)

27 (40 ILCS 5/14-149) (from Ch. 108 1/2, par. 14-149)

28 Sec. 14-149. Felony conviction. None of the benefits
29 herein provided for shall be paid to any person who is
30 convicted of and sentenced for any felony relating to or
31 arising out of or in connection with his service as an
32 employee.

33 This Section shall not operate to impair any contract or
34 vested right heretofore acquired under any law or laws
35 continued in this Article nor to preclude a person's ~~the~~ right

1 to a refund. A refund under this Section shall consist of
2 amounts representing employee contributions paid by the person
3 to the System (including such amounts paid by the person to
4 establish additional or optional credit), without interest,
5 less the amount of benefits paid to the person (including
6 benefits paid to an alternate payee under a QILDRO) by the
7 System. The refund shall not include employer contributions or
8 any interest on contributions. This Section does not require
9 repayment to the Fund of any benefit paid before the date of
10 sentencing. The changes made by this amendatory Act of the 94th
11 General Assembly are declarative of existing law and do not
12 constitute an impairment of benefits under Article XIII,
13 Section 5 of the Illinois Constitution.

14 All future entrants entering service subsequent to July 9,
15 1955 shall be deemed to have consented to the provisions of
16 this Section and the rules, policies, and procedures
17 implementing it ~~section~~ as a condition of coverage.

18 (Source: P.A. 80-841.)

19 (40 ILCS 5/15-187) (from Ch. 108 1/2, par. 15-187)

20 Sec. 15-187. Felony conviction. None of the benefits
21 provided under this Article shall be paid to any person who is
22 convicted of and sentenced for any felony relating to or
23 arising out of or in connection with the person's service as an
24 employee.

25 This Section shall not operate to impair any contract or
26 vested right heretofore acquired under any law or laws
27 continued in this Article, nor to preclude a person's ~~the~~ right
28 to a refund. A refund under this Section shall consist of
29 amounts representing employee contributions paid by the person
30 to the System (including such amounts paid by the person to
31 establish additional or optional credit), without interest,
32 less the amount of benefits paid to the person (including
33 benefits paid to an alternate payee under a QILDRO). No refund
34 paid to any person who is convicted of a felony relating to or
35 arising out of or in connection with the person's service as an

1 employee shall include employer contributions or interest or,
2 in the case of the self-managed plan authorized under Section
3 15-158.2, any employer contributions or investment return on
4 such employer contributions. This Section does not require
5 repayment to the System of any benefit paid before the date of
6 sentencing. The changes made by this amendatory Act of the 94th
7 General Assembly are declarative of existing law and do not
8 constitute an impairment of benefits under Article XIII,
9 Section 5 of the Illinois Constitution.

10 All persons entering service subsequent to July 9, 1955
11 shall be deemed to have consented to the provisions of this
12 Section and the rules, policies, and procedures implementing it
13 as a condition of coverage.

14 (Source: P.A. 93-347, eff. 7-24-03.)

15 (40 ILCS 5/16-199) (from Ch. 108 1/2, par. 16-199)

16 Sec. 16-199. Felony conviction. None of the benefits
17 provided for in this Article shall be paid to any person who is
18 convicted of and sentenced for any felony relating to or
19 arising out of or in connection with his or her service as a
20 teacher.

21 This Section shall not operate to impair any contract or
22 vested right acquired prior to July 9, 1955 under any law or
23 laws continued in this Article, nor to preclude a person's ~~the~~
24 right to a refund. A refund under this Section shall consist of
25 amounts representing employee contributions paid by the person
26 to the System (including such amounts paid by the person to
27 establish additional or optional credit), without interest,
28 less the amount of benefits paid to the person (including
29 benefits paid to an alternate payee under a QILDRO) by the
30 System. The refund shall not include employer contributions or
31 any interest on contributions. This Section does not require
32 repayment to the System of any benefit paid before the date of
33 sentencing. The changes made by this amendatory Act of the 94th
34 General Assembly are declarative of existing law and do not
35 constitute an impairment of benefits under Article XIII,

1 Section 5 of the Illinois Constitution. ~~The System may sue any~~
2 ~~such person to collect all moneys paid in excess of refundable~~
3 ~~contributions.~~

4 All teachers entering or re-entering service after July 9,
5 1955 shall be deemed to have consented to the provisions of
6 this Section and the rules, policies, and procedures
7 implementing it as a condition of membership.

8 (Source: P.A. 85-1008.)

9 (40 ILCS 5/17-149.1) (from Ch. 108 1/2, par. 17-149.1)

10 Sec. 17-149.1. Felony conviction. None of the benefits
11 provided for in this Article shall be paid to any person who is
12 convicted of and sentenced for any felony relating to or
13 arising out of or in connection with his or her service as a
14 teacher.

15 This Section shall not operate to impair any contract or
16 vested right acquired prior to January 1, 1988, nor to preclude
17 a person's the right to a refund. A refund under this Section
18 shall consist of amounts representing employee contributions
19 paid by the person to the Fund (including such amounts paid by
20 the person to establish additional or optional credit), without
21 interest, less the amount of benefits paid to the person
22 (including benefits paid to an alternate payee under a QILDRO)
23 by the Fund. The refund shall not include employer
24 contributions or any interest on contributions. This Section
25 does not require the repayment to the Fund of any benefit paid
26 before the date of sentencing. The changes made by this
27 amendatory Act of the 94th General Assembly are declarative of
28 existing law and do not constitute an impairment of benefits
29 under Article XIII, Section 5 of the Illinois Constitution.

30 All teachers entering service after January 1, 1988 shall
31 be deemed to have consented to the provisions of this Section
32 and the rules, policies, and procedures implementing it as a
33 condition of membership.

34 (Source: P.A. 85-964.)

1 (40 ILCS 5/18-163) (from Ch. 108 1/2, par. 18-163)

2 Sec. 18-163. Felony conviction. None of the benefits herein
3 provided shall be paid to any person who is convicted of and
4 sentenced for any felony relating to or arising out of or in
5 connection with his or her service as a judge.

6 This Section shall not operate to impair any contract or
7 vested right acquired before July 9, 1955 under any law or laws
8 continued in this Article, nor to preclude a person's ~~the~~ right
9 to a refund. A refund under this Section shall consist of
10 amounts representing employee contributions paid by the person
11 to the System (including such amounts paid by the person to
12 establish additional or optional credit), without interest,
13 less the amount of benefits paid to the person (including
14 benefits paid to an alternate payee under a QILDRO) by the
15 System. The refund shall not include employer contributions or
16 any interest on contributions. This Section does not require
17 repayment to the System of any benefit paid before the date of
18 sentencing. The changes made by this amendatory Act of the 94th
19 General Assembly are declarative of existing law and do not
20 constitute an impairment of benefits under Article XIII,
21 Section 5 of the Illinois Constitution.

22 All participants entering service subsequent to July 9,
23 1955 are deemed to have consented to the provisions of this
24 Section and the rules, policies, and procedures implementing it
25 as a condition of participation.

26 (Source: P.A. 83-1440.)

27 Section 99. Effective date. This Act takes effect upon
28 becoming law.